

Message Text

LIMITED OFFICIAL USE

PAGE 01 MEXICO 13849 232128Z
ACTION ARA-14

INFO OCT-01 ISO-00 MCT-02 HA-05 CIAE-00 DODE-00 INR-10
NSAE-00 PA-01 ICA-11 SP-02 SY-05 L-03 /054 W
-----089758 240705Z /14
R 232123Z AUG 78
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 2210
ALL USCONS MEXICO POUCH

LIMITED OFFICIAL USE MEXICO 13849

E.O. 11652: N/A
TAGS: PDIP, MX, US
SUBJECT: MEXICAN PRESS REPORT ON CONVICTIONS REGARDING
CUBAN CONSUL KIDNAPPING.

REF: STATE 206012

1. NEWS SUMMARY REPORT REGARDING THE SENTENCING OF GASPAR EUGENIO JIMENEZ ESCOBEDO AND ORESTES RUIZ HERNANDEZ, DEFENDANTS IN A CASE STEMMING FROM A KIDNAP ATTEMPT AGAINST THE CUBAN CONSUL IN MERIDA JULY 1976 WHICH RESULTED IN THE MURDER OF THE CONSUL'S CHAUFFEUR, IS INACCURATE. ACTUALLY, ON JUNE 27, JUDGE RAUL MURILLO DELGADO, THE DISTRICT COURT JUDGE HAVING JURISDICTION IN THE CASE, UPHELD THE DENIAL OF AN "AMPARO" (A MEXICAN JUDICIAL MANEUVER SOMEWHAT SIMILAR TO AN APPEAL OR A MOTION TO DISMISS UNDER OUR JUDICIAL SYSTEM) WHICH HAD BEEN SOUGHT BY THE LAWYERS OF JIMENEZ ESCOBEDO AND RUIZ HERNANDEZ.

2. DENIAL OF THE AMPARO PAVES THE WAY FOR THE CONTINUATION OF THE CASE AGAINST THE DEFENDANTS. THE AMPARO HAD BEEN BASED ON AN ARGUMENT THAT JIMENEZ AND RUIZ WERE MENTALLY DISTURBED AT THE TIME OF THEIR ARREST.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MEXICO 13849 232128Z

ACCORDING TO RAUL JIMENEZ O'FARRILL, THE DIRECTOR OF PROCESS CONTROL FOR THE MEXICAN FEDERAL ATTORNEY GENERAL'S OFFICE, THE AMPARO PROCESS HAS NO EFFECT ON THE EXTRADITION REQUEST FOR JIMENEZ ESCOBEDO OR FOR THE OTHER DEFENDANT IN THE CASE, GUSTAVO CASTILLO.

3. THE DISCREPANCY IN THE REPORTED NAME, I. E. GASPARIO

EUGENIO MENDEZ DELGADO IN PLACE OF GASPAR EUGENIO JIMENEZ ESCOBEDO, IS THE RESULT OF INACCURATE REPORTING BY THE MEXICAN PRESS MEDIA.

4. GUSTAVO CASTILLO, GASPAR JIMENEZ ESCOBEDO, AND ORESTES RUIZ HERNANDEZ WERE ALL ALLEGEDLY INVOLVED IN THE KIDNAP ATTEMPT. CASTILLO ESCAPED CAPTURE BY MEXICAN AUTHORITIES BUT EVENTUALLY WAS APPREHENDED BY U. S. AUTHORITIES. JIMENEZ AND RUIZ WERE CAPTURED BY THE MEXICANS SHORTLY AFTER THE INCIDENT AND RUIZ HAS BEEN IN CUSTODY EVER SINCE. JIMENEZ ESCAPED FROM PRISON IN MARCH 1977 BUT WAS RECAPTURED BY U. S. AUTHORITIES AND IS BEING HELD ALONG WITH CASTILLO IN MIAMI.

5. FYI: UNDER MEXICAN LEGAL SYSTEM, DEFENDANTS CANNOT BE TRIED OR SENTENCED IN ABSENTIA. MCANINCH

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, KIDNAPPING, MURDER, COURT DECISIONS, CONSULS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MEXICO13849
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780346-0397
Format: TEL
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780833/aaaabbkd.tel
Line Count: 78
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 39cb305d-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 206012
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1649322
Secure: OPEN
Status: NATIVE
Subject: MEXICAN PRESS REPORT ON CONVICTIONS REGARDING CUBAN CONSUL KIDNAPPING.
TAGS: PDIP, MX, US, CU, (JIMENEZ ESCOBEDO, GASPAR EUGENIO), (RUIZ HERNANDEZ, ORESTES)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/39cb305d-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014